

Senate Committee on Natural Resources and Wildfire Recovery

OFB Testimony - SB 1501

February 3, 2022

Chair Golden, Members of the Committee,

Thank you for the opportunity to provide testimony on SB 1501. By way of background, the Oregon Farm Bureau (OFB) is the state's largest agricultural trade association, representing nearly 7,000 farm and ranch families in the state, including many small woodland owners.

We appreciate all of the hard work that went into the Private Forest Accord (PFA) by the signatories and support the industry's work toward a Habitat Conservation Plan. However, our members – particularly those who are small woodland owners – feel very strongly that the PFA will not be workable for their operation and will likely result in the sale of some of their multi-generational forestlands. Unfortunately, because the groups who were at the table to negotiate the PFA were restricted from sharing information about the negotiation, our small woodland owner members did not have the ability to provide feedback on the PFA or share the impacts it would have on their operations. To that end, OFB writes to share those concerns, not only with the impact of the agreement on the viability of Oregon's small woodlands, but also the increased bureaucracy in Oregon Department of Forestry (ODF), and the Beaver (Castor Canadensis) Conservation provisions within the PFA. Finally, OFB is troubled by the provisions that would remove a landowner's entitlement to just compensation for restriction of their use of real property due to these new land use regulations on their private forestlands.

Small Forestland Owner Provisions

Many of our members have expressed deep concern regarding the provisions agreed upon and set forth in Sections 15-20 of the PFA and disagree that there are adequate protections to prevent conversion of forestlands to other uses. Despite the tax credits provided in SB 1502, the small forestland owner provisions in SB 1501 create large increased buffers and other regulations within the Forest Practices Act which will negatively impact private small and medium woodland owners and remain unworkable for most of our membership. With the new harvest buffers in place, some of our members risk losing up to 50% of their harvestable timber and have stated that they are likely to sell their woodlands to a larger owner or sell the minimum parcel sizes for home sites or other development.

Oregon Department of Forestry Funding

OFB is also very concerned about the new bureaucracy this creates within Oregon Department of Forestry (ODF), and how those positions are funded long-term. ODF continues to struggle with

adequately funding their current programs and with the creation of our comprehensive wildfire program under SB 762 last session, it remains unclear to OFB how the agency will remain solvent. While the PFA supports funding ODF implementation from the general fund and the parties made no commitment to seek additional revenues from landowners to fund ODF, the current legislature cannot bind future legislatures. As past experience demonstrates, when we are in a cut budget scenario for the state, natural resources agencies usually see the largest cuts in terms of percent of budget. We are concerned that after just a couple biennium, ODF could see cuts to new programs that are being created within the agency, along with decreases in harvest on state managed forestland, which equates to less income coming into the agency as well. In these cases, the legislature often looks to increase taxes and fees on regulated entities, which our small woodland owners will not be able to afford, particularly in light of the reduced harvest from the new buffer restrictions.

Beaver Conservation

The language in the Beaver Conservation section of SB 1501 defines forestland incredibly broadly to mean all land that is used for the growing and harvesting of forest tree species, regardless of how the land is zoned or taxed or how any state or local statutes, ordinances, rules or regulations are applied. Under the language of the bill, the trees do not need to be harvested for commercial purposes. It is extremely troubling that by using such broad language in the definitions, the PFA could bind landowners who were not represented at the negotiating table at all, and therefore received no consideration in exchange for the extensive changes to how we manage beavers under current law. Considering this, we encourage the legislature to narrow the language in beaver conservation section to be consistent with the intent of the PFA and only apply to the private commercial forestlands that were represented and intended to be covered in the PFA.

For these reasons we oppose SB 1501 as written and would like to see the bill amended so that small forestland owners are not forced out of business, and landowners not related to the commercial harvest of timber have their ability to manage wildlife on their private property jeopardized. Thank you for the opportunity to provide testimony today and please do not hesitate to reach out with any questions.

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